



**CITY OF FAIRFAX**  
Community Development and Planning  
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## **MINOR HOME OCCUPATION DEFINITIONS/RESTRICTIONS**

### **CITY CODE REQUIREMENT**

Section 110-4: Minor home occupation means the use of an area located within a dwelling unit for business or commercial purposes by a person for whom the dwelling unit is the primary residence and in which he does actually reside during non-business hours. Minor home occupations are subject to the following restrictions:

#### **(1) All minor home occupations are subject to the following operational standards:**

- a. No person other than a member of the family residing on the premises shall be engaged in the occupation or business on the premises;
- b. There shall be no visible evidence (including signs of any size) of the minor home occupation in the outside appearance of the premises;
- c. The minor home occupation shall generate no greater volume of traffic than would normally be expected from a single-family residence, subject to the additional operational standards for home businesses and student instruction and consistent with the residential character of the neighborhood;
- d. The business or commercial use shall not generate any need for off-street parking spaces;
- e. No equipment shall be used other than that normally used for domestic, hobby, household or small office purposes in a single-family residence;
- f. The **street address** of a home occupation business shall not be advertised to the general public in newspaper, radio, electronic media including webpages or television advertisements. This provision shall not be construed to prohibit address listing in telephone directories, on business cards, or in communication with customers, suppliers or professional colleagues, nor shall it prohibit referrals to
- g. No person shall conduct a home occupation without obtaining the appropriate business, service or occupational license required by law. All home occupations shall comply with applicable state, federal, and local regulations.

#### **(2) Additional operational standards for home businesses involving goods that are offered for sale:**

- a. No stock in trade shall be displayed or offered for public retail sale on the premises; however goods may be stored for sale subject to the additional limitations for minor home occupations;
- b. It shall be understood that sales and delivery of products are primarily away from the residence or by mail. Sales of goods on the premises shall be limited to goods ordered previously by established customers by mail, telephone, Internet or at a sales meeting;
- c. No more than 40 clients or colleagues per week shall be permitted to the property to pick up purchases, attend classes or meet with the business owner with no more than six present at any one time. Visitations to the residence by clients or colleagues shall be limited to the hours of 8:00 a.m. to 9:00 p.m. Such visitations shall be consistent with the residential character of the neighborhood and shall conform to all applicable regulations regarding noise and parking;
- d. No more than 25 percent of the floor area of the principal dwelling unit shall be used to conduct the home occupation and store stock in trade subject to applicable federal, state and local regulations. The storage of hazardous materials shall be prohibited;
- e. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 10,000 pounds or less.

#### **(3) Additional operational standards for home businesses involving student instruction:**

- a. Instruction shall be limited to a total of eight students per day, with no more than 40 total per week or six students present at any one time, between the hours of 8:00 a.m. and 9:00 p.m.;
- b. Gatherings of students and families for exhibitions and group activities may take place on the premises no more than four times per year. Such gatherings shall be consistent with the residential character of the neighborhood and shall conform to all applicable regulations regarding noise and parking.

It shall be understood that home telecommuting for an employer located elsewhere, which is allowed by right, is not a minor home occupation. Any of the occupations listed under the definition of the term "major home occupation" may qualify as a minor home occupation provided that the proposed use meets the criteria listed above. The term "minor home occupation" shall not include any funeral home; kennel; veterinarian office; animal hospital; nursery school; minor or major repair, detailing, or painting of engines (small or large), major appliances, vehicles, trailers, or boats; palm reading or fortunetelling; health salon, gym, dance studio, aerobic exercise studio, beauty or hair salon, massage establishment; welding, material or metal fabrication shops or machine shops; gift or antique shop or on-premises retail sales not meeting the criteria in this section; or other similar uses which will likely create an adverse impact on a residential neighborhood.